

SENATE BILL REPORT

SB 6871

As Reported By Senate Committee On:
Human Services & Corrections, February 07, 2008

Title: An act relating to contracting for services provided to dependent children.

Brief Description: Regarding contracting for services provided to dependent children.

Sponsors: Senator Hargrove.

Brief History:

Committee Activity: Human Services & Corrections: 2/05/08, 2/07/08 [DPS-WM].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6871 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Jennifer Strus (786-7316)

Background: In 2007 the Children's Administration (CA) at the Department of Social and Health Services (DSHS) began the phase-in of a policy requiring social workers to have monthly visits with children in out-of-home care. This phase-in requires that by April 2007, social workers will have monthly visits with all children aged zero to five who are out-of-home unlicensed relative placements. The next three phases include in this order, children ages six to 18 in out-of-home unlicensed relative placements; children ages zero to five in foster care placements; and children ages six to 18 in foster care placements. The effective date of the policies affecting the last three phases are to be determined.

CA often enters into agreements with Child Placing Agencies (CPA) to provide foster care and other case management services to children. Generally, the CPAs conduct monthly face-to-face visits with the child in out-of-home care and the child's care giver. By policy, the CA social worker must also conduct a 30 day visit.

CA may contract with a private agency to provide supervised visitation and client transportation services to CA clients. Generally, CA social workers conduct the home studies needed before a legally free child can be adopted.

Before a state agency can purchase services customarily performed by state classified employees from an outside entity, the agency must first comply with certain requirements

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including allowing classified employees whose positions would be displaced by the contract to provide an opportunity to offer alternatives to contracting for the services, and if these alternatives are not satisfactory, to compete for the contract.

Summary of Bill: The bill as referred to committee was not considered.

SUMMARY OF BILL (Recommended Substitute): CA is required to conduct face-to-face meetings with children in out-of-home care and their care givers every 30 days. If a child's case is being managed by a CPA, the CPA is to conduct the 30 day visit and promptly report the results to CA. In these cases, CA need not also conduct a 30 day meeting.

Starting July 1, 2009, CA must contract with a private agency to provide all supervised visitation and client transportation services. CA must also contract with private agencies to perform home studies for legally free children awaiting adoption.

The provisions allowing classified employees to compete for the contracts are not applicable.

DSHS and the exclusive bargaining representative for the DSHS classified social workers must meet and prioritize the social workers' tasks and determine how to remove the lower priority tasks from the social workers' workload. DSHS and the representative must keep the legislature apprised of their progress by reporting on July 1, 2008 and on November 15, 2008.

Appropriation: None.

Fiscal Note: Requested on January 30, 2008.

Committee/Commission/Task Force Created: No.

Effective Date: Section 5(a) and (b) take effect 90 days after adjournment of session in which the bill is passed.

Staff Summary of Public Testimony: PRO: Contracting out supervised visitation and transportation services is a good idea to lower workloads for social workers, and while there are vendors willing to do the work, in some cases the reimbursement rate offered by DSHS is too low to attract these vendors, so the rate should be looked at as well. There is support for looking at other services that could be contracted out like kinship care and adoption support. The prioritization of social worker's tasks is a good idea and should be looked at. The workload study shows that social workers have too many duties, and not enough people to accomplish them all. Contracting out visitation not only allows the state to accomplish it more efficiently; it also means that visitation will occur in better surroundings. The DCFS office is not a family friendly place to conduct visitation; having an outside agency supervise the visitation means that it will more likely occur in a better place. It is amazing how many social worker hours are eaten up by supervising visits and transporting clients. Contracting these services out would help tremendously with the social worker's workload.

CON: This bill is hostile to the spirit of collective bargaining. Nothing prohibits the department from contracting out for these services now, and in fact, they do to a certain extent. The mandate that all supervised visitation and transportation must be contracted out means there may be access problems in areas where there are not appropriate vendors. In addition, many social workers have had to "clean up the mess" left behind by these contractors. The bill presumes there are vendors out there available to do this work across the

state, and that is not accurate. The bill does identify tasks that are worthy of negotiation. The union management team has put transportation on the bargaining table, but have not had a lot of success with management in bargaining on this topic.

There is a workload crisis in Children's, and it is getting worse. There should be a prioritization of social worker tasks in light of the Braam lawsuit, Famlink and federal regulations. There is a need to retain veteran staff. There is a disconnect between upper management and line staff especially when new programs come on line. Social workers should be sitting at the table when policy development occurs. Social workers face new policy rollouts before they have completed implementing the previous rollout.

OTHER: The strategies employed should not impede being able to bring on more social workers at a faster pace as proposed in the Governor's budget.

Persons Testifying: PRO: Laurie Lippold, Children's Home Society; Joanne Moore, Office of Public Defense.

CON: Dennis Eagle, Ursula Petters, Washington Federation of State Employees.

OTHER: Cheryl Stephani, DSHS.